IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN McBRIDE,

Defendant.

Case No. MJ 18-2999

ORDER OF DETENTION

I.

On November 9, 2018, Defendant made his initial appearance on the criminal complaint issued in this matter. FredRicco McCurry, a member of the indigent defense panel, was appointed to represent Defendant. At Defendant's request, a detention hearing was continued to November 15, 2018 at 10:00 a.m.,

☒ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety or any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☒ the safety of any person or the community.

the Court finds that the defendant has not rebutted the § 3142(e)(2) presumption by sufficient evidence to the contrary.

III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also

considered all the evidence adduced at the hearing and the arguments, the arguments of counsel, and the report and recommendation of the U.S. Pretrial Services Agency.

IV.

The Court bases its conclusions on the following:

As to risk of non-appearance:

☒ insufficient bail resources (The Court notes the large amount of currency that was found and seized at the defendant's residence at the time of arrest and doesn't find the unjustified appearance bonds proposed by defendant to be sufficient to address concerns of flight)

☒ Unrebutted Presumption.

As to danger to the community:

☒ Allegations in the criminal complaint include conspiracy to distribute controlled substances based on the armed robbery of 600 pounds of marijuana and $100,000 in cash from a marijuana distribution warehouse under the guise of executing a lawful search warrant. This defendant presented himself as a law enforcement officer during the robbery by donning Sheriff's Department apparel and possessing a firearm; a search of his residence revealed items which would permit him to pose as a law enforcement officer, including a LASD radio and field interview cards, a loaded firearm registered to his co-defendant who was employed as a Sheriff's Deputy.

☒ Unrebutted presumption [18 U.S.C. § 3142(e)(2)]

V.

IT IS THEREFORE ORDERED that the defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation

with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding. [18 U.S.C. § 3142(i)]

Dated: November 15, 2018   _____/s/_____

HON. ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE